

The comparison of the legal regulation of the lease of an apartment and the legal regulation of the lease of a company apartment in the past and in the present

Abstract

The aim of the thesis is to compare the legal regulation of the lease of an apartment with the legal regulation of the lease of a company apartment in the past and in the present. This thesis deals with the legal regulation of the lease of the apartment, especially in the period of 1992-2020. The legal status of the lessee and the lessor has changed over the years, the content of this thesis is whether this was in favor of the lessee or the lessor. This thesis is divided into 10 chapters and it is focused mainly on the creation of the lease, the lease contract, the period of the lease, the rent, the replacement housing, and the termination of the lease. At the end of the selected chapters there is the comparison of how the legal regulation of the institute has changed.

The first chapter of this thesis defines the basic terms according to the current legal regulation.

The second chapter of the thesis is devoted to the history of the lease of the apartment and to the history of the lease of the company apartment.

Then the thesis deals with the comparison of the lease of the apartment and the lease of the company apartment according to the previous and the current legal regulation.

The third chapter analyzes the obligatory substantive and formal requirements of the lease contract. At the end of the chapter, it is provided for which party of the lease contract the current legal regulation is more advantageous.

The fourth chapter deals with the creation of the lease of the apartment in other ways than concluding the lease contract, it deals mainly with the creation of the right of lease for the spouse, for the members of the lessee's household, the conditions for the passage of the lease of the apartment and the automatic extension of the lease contract. This chapter also provides an illustrative example of the lease of the company apartment provided by the capital city of Prague.

In the fifth chapter "The period of lease" there are also provided the decisions of courts that have been addressed on this issue. The period of lease of the company apartment provided mainly by Prague is shown on a practical example.

The sixth chapter is more extensive, and it is devoted to the rent, because it is interesting to see how the rent has evolved and is still evolving over the years in the Czech Republic. The chapter deals with the problems that were related to the amount of the rent in the past and the problems that the lessee and the lessor currently have. This chapter includes, among the other things, the specific amount of the rent for the company apartment in selected cities, especially in municipal districts of Prague and possible solutions of the rent regulation adopted by some foreign cities.

The seventh chapter "The replacement housing" is related to the following chapter "The termination of the lease of the apartment according to the previous legal regulation" because it states when the lessee had a right to the replacement housing and in what quality.

Due to its length, the termination of the lease of the apartment is divided into three chapters; to the chapter dealing with the previous legal regulation, to the chapter dealing with the current legal regulation and to the chapter comparing the two legal regulations.